



Adam S. Cohen
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February 12, 2016

Via E-Mail

Joshua Wirschafter, Esq.
U.S. EPA, Region IX
Office of Regional Counsel ORC-3
75 Hawthorne Street
San Francisco, CA 94105

Re: Leviathan Mine Superfund Site SSID 091A and 09PU
Administrative Settlement Agreement and Order on Consent For Removal
Action, CERCLA Docket No. 2008-29, 29(a) (the "AOC")
Notice of Partial Payment, September 1, 2015 Payment Request

Dear Josh:

This letter serves as notice under Paragraphs 79, 80, and 81 of the above-referenced AOC that: on February 12, 2016, payment in the amount of \$656,662.33 was issued to EPA from Atlantic Richfield Company's interest-bearing escrow account maintained by US Bank NA. Explanation for this payment was provided in my February 5, 2016 letter. A copy of the US Bank wire advice is enclosed.

Atlantic Richfield is continuing to object to \$137,826.27 for the reasons stated in my letters dated September 22, 2015, January 7, 2016, and February 5, 2016. These funds will remain in the US Bank escrow account pending resolution of the dispute. Atlantic Richfield expressly reserves all of its rights and defenses, including all rights conferred under the AOC, with respect to the disputed charges and with respect to any other response costs incurred by EPA and not included in the payment request.

Sincerely,

A handwritten signature in black ink, appearing to read "A.S. Cohen", with a long horizontal flourish extending to the right.

Adam S. Cohen
for
Davis Graham & Stubbs LLP

cc: David Wood, Chief, Account Section, EPA Region IX
Anthony Brown
Ronald Halsey
Brian Johnson
Nathan Block, Esq.